

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	Chapter 7
	:	
RAFAIL THEOKARY,	:	
	:	
Debtor	:	Bky. No. 07-11008ELF
	:	
	:	
RAFAIL THEOKARY,	:	
	:	
Plaintiff	:	
	:	
v.	:	
	:	
ERIC ABBATIELLO, et al.,	:	Adv. No. 09-051
	:	
Defendants	:	

ORDER

AND NOW, trial of the above adversary proceeding having commenced on November 9, 2009;

AND, the Plaintiff having completed his case-in-chief on November 9, 2009;

AND, after the conclusion of the Plaintiff's case-in-chief, Defendant Gaitway Farms, Inc. having moved for the entry of judgment pursuant to Fed. R. Bankr. P. 7052 (incorporating Fed. R. Civ. P. 52(c));

AND, the court concluding that the Plaintiff produced no evidence that Defendant Gaitway Farms, Inc., either individually or in concert with others, violated the automatic stay after the commencement of the Plaintiff's bankruptcy case in this court;

AND, in open court on November 9, 2009, the court having granted Gaitway Farms, Inc.'s motion;

It is hereby **ORDERED** that judgment is entered in favor of Defendant Gaitway Farms, Inc. and against the Plaintiff.



Date: November 20, 2009

ERIC L. FRANK
U.S. BANKRUPTCY JUDGE